

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: C.R. BARD, INC..
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL No. 2187

THIS DOCUMENT RELATES TO:

Nelson, et al v. C.R. Bard, Inc.,

Civil Action No. 2:13-cv-07780

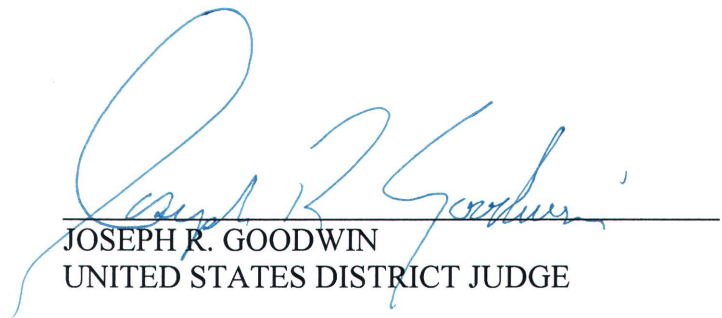
MEMORANDUM OPINION AND ORDER

The cases identified on Exhibit A attached hereto involve plaintiffs who failed to appear at a Mandatory Status Conference and respond to the court's Show Cause Order entered in MDL 2:10-md-2187 and in each individual case on Exhibit A. 2:10-md-2187, Pretrial Order ("PTO") # 393 [ECF No. 6814]. On November 29, 2018, the court entered an Order in the main MDL and each case on Exhibit A directing certain plaintiffs who have alleged claims against C.R. Bard, Inc. ("Bard") to appear in person at the Robert C. Byrd United States Courthouse for a Mandatory Status Conference scheduled on November 7-9, 2018. *See* PTOs # 293, # 294. The plaintiffs on Exhibit A neither appeared at the Mandatory Status Conference nor responded to this court's Bard Show Cause Order entered on November 9, 2018 in each individual case. The court finds, pursuant to Rules 16 and 37 of the Federal Rules of Civil Procedure and after weighing the factors identified in *Wilson v. Volkswagen of Am., Inc.*, 561 F.2d 494, 503-06 (4th Cir. 1977), the cases on Exhibit A should be dismissed with prejudice for failure to attend the court's Mandatory Status Conference and respond to the court's Show Cause Order in compliance with the court's previous Orders.

Therefore, the court **ORDERS** that the pending cases listed on Exhibit A are **DISMISSED WITH PREJUDICE** and **STRICKEN** from the court's docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party in every case on Exhibit A.

ENTER: March 26, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

2:13-cv-07780: Nelson, et al v. C.R. Bard, Inc.